

88-7
BILL NO. _____

AS AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 88-7 (AS AMENDED)

Introduced by Council President Hardwicke at the
request of the County Executive

Legislative Day No. 88-6 Date February 16, 1988

AN ACT to repeal and re-enact, with amendments, Sections 9-136 through 9-142 of Article XII, heading, Safety and Accident Review Board, of Chapter 9, heading, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to provide for the establishment of the Risk Management and Safety and Accident Review Boards.

By the Council, February 16, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: March 15, 1988

at: 6:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on March 15, 1988

and concluded on March 15, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 88-7

AS AMENDED

1 Section 1. Be It Enacted By the County Council of Harford County,
2 Maryland, that Sections 9-136 through 9-142 of Article XII,
3 heading, Safety and Accident Review Board, of Chapter 9, heading,
4 Boards, Commissions, Councils and Agencies, of the Harford County
5 Code, as amended, be, and they are hereby repealed and re-enacted,
6 with amendments, all to read as follows:

7 (NOTE: BEGINNING OF DELETED MATERIAL.)

8 [Chapter 9. Boards, Commissions, Councils and Agencies.

9 Part 3. Authoritative Boards and Commissions.

10 [Article XII. Safety and Accident Review Board

11 Section 9-136. Membership.

12 The Safety and Accident Review Board shall consist of the
13 following persons:

14 A. The Safety Officer, who shall be a nonvoting member.

15 B. A representative of the Department of Public Works.

16 C. A representative of the Office of Personnel.

17 D. A representative of the Department of Parks and
18 Recreation.

19 E. A representative of each representative labor unit in the
20 Harford County, Maryland, government.

21 F. A representative from the Director of Administration's
22 Office.

23 G. A representative from the Comprehensive Employment and
24 Training Act (CETA) Office.

25 H. A representative from the Sheriff's Department.

26 I. A representative from the Human Relations Commission.

27 Section 9-137. Officers.

28 The Safety Officer shall act as Chairman; the Office of
29 Personnel's representative shall as act as Vice Chairman.

1 Section 9-138. Appointments.

2 All appointments to the Board shall be made by the County
3 Executive subject to confirmation by the County Council in
4 accordance with the Charter of Harford County, Maryland.

5 Section 9-139. Terms of Office.

6 The members of the Board shall serve terms coterminous with
7 the term of the County Executive.

8 Section 9-140. Powers and Duties.

9 A. The Safety and Accident Review Board shall have the
10 responsibility of reviewing all job-related accidents. The Board
11 shall determine all the causes of the accident and recommend
12 procedures and operations designed to prevent the reoccurrence of
13 accidents. The Board shall, upon making its determination as to
14 cause, file a written report with the Department of Inspections,
15 Licenses and Permits and the Office of Personnel. The report
16 shall contain findings of fact and recommended action of the
17 Board, if any.

18 B. The Board shall establish safety policies and procedures
19 designed to prevent accidents from occurring in the County's
20 operations.

21 C. The Board shall have the power to require any employee
22 involved in an accident to appear before the Board for the purpose
23 of investigating the accident. The Board shall not have the power
24 to take any disciplinary action against any employee.

25 Section 9-141. Minutes.

26 Detailed minutes of Board meetings shall be kept.

27 Section 9-142. Rules and Regulations.

28 The Board may promulgate such rules and regulations as it
29 deems necessary for its operation.]

30 (NOTE: END OF DELETED MATERIAL.)
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1 Chapter 9. -- Boards, Commissions, Councils and Agencies.

2 Part 3. -- Authoritative Boards and Commissions.

3 ARTICLE ~~XXII~~. XII. RISK MANAGEMENT, SAFETY AND ACCIDENT REVIEW
4 BOARDS.

5 SECTION 9-136. MEMBERSHIP.

6 THE RISK MANAGEMENT BOARD SHALL CONSIST OF THE FOLLOWING
7 PERSONS: MEMBERS. AT LEAST ONE OF THE MEMBERS SHALL BE AN
8 EMPLOYEE WHO IS COMPENSATED UNDER THE HOURLY PAY SCHEDULE OR THE
9 CLASSIFIED SERVICE SALARY SCHEDULE OF THE COUNTY PAY PLAN,
10 CLASSIFICATION PLAN AND SALARY GRADE SCHEDULE.

11 A. THE RISK MANAGER, WHO SHALL BE A NONVOTING MEMBER.

12 B. THE SAFETY OFFICER, WHO SHALL BE A NONVOTING MEMBER.

13 C. A REPRESENTATIVE OF THE OFFICE OF PERSONNEL.

14 D. A REPRESENTATIVE OF THE DEPARTMENT OF PARKS AND
15 RECREATION.

16 E. A REPRESENTATIVE OF THE DIRECTOR OF ADMINISTRATION'S
17 OFFICE, DIVISION OF FACILITIES AND OPERATIONS.

18 F. A REPRESENTATIVE OF THE SHERIFF'S DEPARTMENT.

19 G. A REPRESENTATIVE OF THE OFFICE OF HUMAN RELATIONS.

20 H. A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC WORKS,
21 DIVISION OF CENTRAL AUTOMOTIVE MANAGEMENT.

22 I. A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC WORKS,
23 DIVISION OF HIGHWAYS.

24 J. A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC WORKS,
25 DIVISION OF WATER AND SEWER.

26 K. A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC WORKS,
27 DIVISION OF SOLID WASTE MANAGEMENT.

28 L. A REPRESENTATIVE OF THE DEPARTMENT OF INSPECTIONS,
29 LICENSES AND PERMITS.

30 M. A REPRESENTATIVE OF THE DEPARTMENT OF LAW.

1 SECTION 9-137. OFFICERS.

2 THE RISK MANAGER SHALL ACT AS CHAIRPERSON; THE SAFETY OFFICER
3 SHALL ACT AS VICE CHAIRPERSON. A MEMBER OF THE RISK MANAGEMENT
4 OFFICE STAFF SHALL SERVE AS SECRETARY OF THE BOARD.

5 SECTION 9-138. APPOINTMENTS.

6 ALL APPOINTMENTS TO THE RISK MANAGEMENT BOARD SHALL BE MADE
7 BY THE COUNTY EXECUTIVE, SUBJECT TO CONFIRMATION BY THE COUNTY
8 COUNCIL IN ACCORDANCE WITH THE CHARTER OF HARFORD COUNTY,
9 MARYLAND.

10 SECTION 9-139. TERMS OF OFFICE.

11 THE MEMBERS OF THE RISK MANAGEMENT BOARD SHALL SERVE TERMS
12 COTERMINOUS WITH THE TERM OF THE COUNTY EXECUTIVE.

13 SECTION 9-140. POWERS AND DUTIES.

14 A. THE RISK MANAGEMENT BOARD SHALL ESTABLISH LOSS PREVENTION
15 AND SAFETY POLICIES AND PROCEDURES DESIGNED TO REDUCE RISK
16 EXPOSURES AND PREVENT ACCIDENTS IN THE COUNTY'S OPERATIONS. SUCH
17 POLICIES AND PROCEDURES SHALL BE INCORPORATED INTO THE COUNTY'S
18 SAFETY MANUAL. EVERY EMPLOYEE SHALL BE PROVIDED A COPY OF THE
19 SAFETY MANUAL AND SUBSEQUENT ADDITIONS TO SAME.

20 B. A COMMITTEE OF SEVEN (7) MEMBERS SELECTED FROM THE RISK
21 MANAGEMENT BOARD MEMBERSHIP SHALL HAVE THE RESPONSIBILITY OF
22 REVIEWING ALL JOB-RELATED ACCIDENTS, AND SHALL BE KNOWN AS THE
23 SAFETY AND ACCIDENT REVIEW BOARD. MEMBERS OF THE SAFETY AND
24 ACCIDENT REVIEW BOARD SHALL BE ROTATED REGULARLY SO THAT EACH
25 MEMBER OF THE RISK MANAGEMENT BOARD SERVES ON THE SAFETY AND
26 ACCIDENT REVIEW BOARD AT LEAST ONE (1) YEAR IN EVERY THREE (3).
27 THE SAFETY AND ACCIDENT REVIEW BOARD SHALL HAVE THE RESPONSIBILITY
28 OF REVIEWING ALL JOB-RELATED ACCIDENTS. THE SAFETY AND ACCIDENT
29 REVIEW BOARD SHALL DETERMINE, TO THE BEST OF THEIR ABILITY, THE
30 CAUSES OF THE ACCIDENTS AND RECOMMEND PROCEDURES AND OPERATIONS
31 DESIGNED TO PREVENT THEIR RECURRENCES. THE SAFETY AND ACCIDENT
32 REVIEW BOARD SHALL, UPON MAKING ITS DETERMINATION AS TO CAUSE,

1 FILE A WRITTEN REPORT WITH THE DIRECTOR OF ADMINISTRATION AND THE
2 RISK MANAGER. THE REPORT SHALL CONTAIN FINDINGS OF FACT AND
3 RECOMMENDED ACTION OF THE BOARD, IF ANY.

4 C. THE SAFETY OFFICER SHALL ACT AS CHAIRPERSON OF THE SAFETY
5 AND ACCIDENT REVIEW BOARD. IN HIS OR HER ABSENCE, THE RISK
6 MANAGER SHALL ACT AS CHAIRPERSON. A MEMBER OF THE RISK MANAGEMENT
7 OFFICE STAFF SHALL SERVE AS SECRETARY TO THE BOARD.

8 D. THE SAFETY AND ACCIDENT REVIEW BOARD SHALL HAVE THE POWER
9 TO REQUIRE ANY EMPLOYEE INVOLVED IN AN ACCIDENT TO APPEAR BEFORE
10 THE SAFETY AND ACCIDENT REVIEW BOARD FOR THE PURPOSE OF INVESTI-
11 GATING THE ACCIDENT. THE SAFETY AND ACCIDENT REVIEW BOARD SHALL
12 NOT HAVE THE POWER TO TAKE ANY DISCIPLINARY ACTION AGAINST ANY
13 EMPLOYEE, BUT SHALL RECOMMEND TO THE DEPARTMENT HEAD APPROPRIATE
14 DISCIPLINARY ACTION, WITH DOCUMENTATION JUSTIFYING SUCH RECOM-
15 MENDATION.

16 SECTION 9-141. MINUTES.

17 DETAILED MINUTES OF BOARD MEETINGS SHALL BE KEPT.

18 SECTION 9-142. RULES AND REGULATIONS.

19 THE RISK MANAGEMENT BOARD AND SAFETY AND ACCIDENT REVIEW
20 BOARD MAY PROMULGATE SUCH RULES AND REGULATIONS AS THEY DEEM
21 NECESSARY FOR THEIR OPERATION.

22 Section 2. And Be It Further Enacted, that this act shall take
23 effect sixty (60) calendar days from the date it becomes law.

24 EFFECTIVE: June 13, 1988
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BY THE COUNCIL

AS AMENDED

BILL NO. 88-7 (as amended)

Read the third time.

Passed LSD 88-11 (April 12, 1988) (with amendments)

Failed of Passage _____

By Order

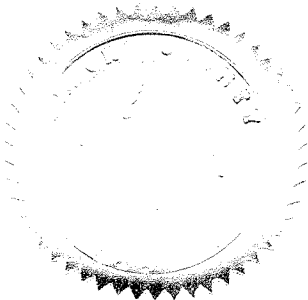
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 13th day of April, 1988
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]
County Executive
Date 4-14-88

BY THE COUNCIL

This Bill (No. 88-7, as amended), having been approved by the
Executive and returned to the Council, becomes law on April 14, 1988.

Doris Poulsen, Secretary

EFFECTIVE DATE: June 13, 1988

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AS AMENDED